

**REMARKS**

Claims 1-27 are pending in this application. Applicant appreciates the Office Action's indication that claims 20, 22 and 23 are allowed, and claims 5-11 contain allowable subject matter.

By this Amendment, claims 24 and 25 are added to recite the allowable subject matter of claims 5 and 11, respectively. Independent claims 1 and 21 are amended to recite additional features disclosed in the specification at, for example, page 24, line 25 - page 25, line 4, and page 48, lines 13-15. Claim 8 is amended in view of the amendments made to claim 1. Claims 26 and 27 are added to recite additional features disclosed in the specification at, for example, page 45, lines 9-15.

Reconsideration of the application is respectfully requested.

The Office Action rejects claims 1-4, 12, 17-19 and 21 under 35 U.S.C. §102(e) over U.S. Patent No. 6,731,889 to Nakayama; rejects claims 12-15 under 35 U.S.C. §103(a) over Nakayama in view of U.S. Patent No. 6,278,857 to Monji et al. (Monji); and rejects claim 16 under 35 U.S.C. §103(a) over Nakayama in view of U.S. Patent Publication No. 2002/0136570 to Yamanaka et al. ("Yamanaka"). These rejections are respectfully traversed.

Independent claims 1 and 21 are amended to recite additional features, as outlined above. In particular, claim 1 is amended to recite a measurement-data storing unit that stores at least one data group, and an abnormal-data excluding unit excluding abnormal data from each of the at least one data group stored in the measurement-data storing unit, thereby obtaining normal data, as recited in claim 1. Claim 21 is amended similarly. Nakayama, Monji and Yamanaka, either individually or in combination, do not disclose or suggest this feature.

Nakayama discloses, at col. 11, lines 19-37, detecting abnormal data based on disagreement in timing between a toner patch position detected by a synchronization circuit and a signal detected by a sensor. Nakayama does not disclose or suggest a measurement-data storing unit that stores at least one data group, and an abnormal-data excluding unit excluding abnormal data from each of the at least one data group stored in the measurement-data storing unit, thereby obtaining the normal data, as recited in claim 1. Therefore, Nakayama does not disclose or suggest the subject matter recited in claims 1 and 21.

Furthermore, Monji and Yamanaka do not disclose or suggest a measurement-data storing unit that stores at least one data group, and an abnormal-data excluding unit excluding abnormal data from each of the at least one data group stored in the measurement-data storing unit, thereby obtaining the normal data, as recited in claim 1, and similarly recited in claim 21. Therefore, Monji and Yamanaka do not supply the subject matter lacking in Nakayama.

For at least the above reasons, Nakayama, Monji and Yamanaka, either individually or in combination, do not disclose or suggest the subject matter recited in claims 1 and 21, and claims 2-4 and 12-19 depending therefrom. Accordingly, withdrawal of the rejection of claims 1-4, 12-19 and 21 under 35 U.S.C. §102(e) and §103(a) is respectfully requested.

Claims 26 and 27 are added to recite additional features disclosed in the specification, as discussed above. The applied references do not disclose or suggest the subject matter recited in claims 26 and 27. For example, Nakayama merely discloses a synchronization circuit that avoids or excludes positional error. See col. 11, lines 19-37. Nakayama does not disclose or suggest exclusion of errors other than the positional errors. Therefore, Nakayama does not disclose or suggest a measuring unit measuring first kind of information and second kind of information with respect to monochromatic calibration images, thereby obtaining a first data group of the first kind of information and a second data group of the second kind of

information; and an abnormal-data excluding unit excluding abnormal data from each of the first data group and the second data group, thereby obtaining normal data of both the first kind of information and the second kind of information, as recited in claim 26, and claim 27 depending therefrom.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-27 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachments:

Request for Continued Examination (RCE)  
Amendment Transmittal

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